

January 4, 2023

**Via ECF**

The Honorable Stewart D. Aaron  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street  
New York, NY 10007-1312

**Re: *In re ACTOS Antitrust Litig.* (1:13-cv-09244-RA-SDA)**

Dear Magistrate Judge Aaron:

We write on behalf of all parties to the above-captioned litigation to respectfully request that the Court entered the attached [Proposed] Stipulated Amended Case Schedule.

As the parties indicated in their December 16 Status Letter, (ECF No. 453), there remain thousands of documents to be produced in this action, which has made it infeasible to complete depositions and fact discovery by the operative February 17, 2023 deadline.

Accordingly, the parties have stipulated to the attached amended case schedule, which creates new deadlines for the completion of document production. This schedule also extends the fact discovery deadline by approximately ten weeks and adjusts subsequent deadlines for expert discovery and class certification briefing.

The parties thus respectfully request that the Court “So Order” the attached [Proposed] Stipulated Amended Case Schedule.

We appreciate the Court’s continued attention to this matter.

Sincerely,

*/s/ Steve D. Shadowen*

Steve D. Shadowen  
*Counsel for the Proposed End-Payor Class*

*/s/ Thomas M. Sobol*

Thomas M. Sobol  
*Counsel for the Proposed Direct Purchaser Class*

*/s/ R. Brendan Fee*

R. Brendan Fee  
*Counsel for Defendants*

cc: Counsel of record (via ECF)

**[Proposed] Stipulated Amended Case Schedule**

<b>Current Date</b>	<b>Proposed Date</b>	<b>Event</b>
-	January 13, 2023	Completion of document productions for known documents requested to date, except Conlin/Carr documents and Hogan Lovells hard-copy documents.
-	February 14, 2023	Completion of document production for known Conlin/Carr documents and Hogan Lovells hard-copy documents requested to date.
February 17, 2023	May 5, 2023	Close of Fact Discovery.
June 29, 2023	June 29, 2023 (same)	Parties to serve merits expert reports on any issues on which they have the burden of proof.
August 17, 2023	August 17, 2023 (same)	Parties to serve responsive expert reports.
September 19, 2023	September 19, 2023 (same)	Parties to serve rebuttal merits expert reports. Rebuttal merits expert reports must be limited to responding to arguments raised in responsive expert reports.
March 16 2023	October 10, 2023	Plaintiffs to serve motions for class certification and expert reports (class only).
October 30, 2023	November 10, 2023	Deadline to complete merits expert discovery; deadline for Plaintiffs to produce their class experts for deposition.
April 26, 2023	November 20, 2023	Defendants' opposition(s) to Plaintiffs' motion for class certification, corresponding expert reports.
-	December 15, 2023	Deadline for Defendants to produce their class experts for deposition.
May 23, 2023	December 20, 2023	Plaintiffs to serve reply briefs in support of class certification and corresponding expert rebuttal reports, limited to responding to arguments raised in Defendants' opposition and corresponding expert reports.
	January 5, 2024	Parties to serve <i>Daubert</i> motions as to class experts.
-	February 5, 2024	Parties to serve oppositions to <i>Daubert</i> motions as to class experts.
June 9, 2023	February 20, 2024	Parties serve any replies on <i>Daubert</i> motions to class experts.